

## The Board of County Commissioners Of Riley County, Kansas

The Regular meeting of the Board of County Commissioners met at the Riley County Plaza East Building October 7, 2004 with the following members present: Mike Kearns, Chairman; Bob Newsome, Vice Chairman; Alvan Johnson, Member; and Cindy Kabriel sitting in for Rich Vargo, County Clerk.

### **8:30 Public Comment & Business Meeting**

Leon Hobson, Director of Public Works/County Engineer; Geri Simon; Karla Hagemeister, Victim/Witness Coordinator; Suzie Smith, Administrative Analyst; Janet Dean, Human Resources Coordinator; Paul Foltz; and Mel Vanderstelt, attended.

Hagemeister presented a Plaza Reservation Request for October 17, 2004 for Resist Violence Run/Walk to raise community awareness about domestic violence from 12:00 (noon) to 3:00 p.m.

Newsome moved to approve the Plaza Reservation Request for October 17, 2004 for Resist Violence Run/Walk to raise community awareness about domestic violence from 12:00 (noon) to 3:00 p.m. Johnson seconded. Carried 3-0.

Johnson moved to approve the following warrant vouchers for October 7, 2004:

JJA Prevention St Formula	\$14,272.00
Riley Co Juvenile Service	165.00
<b>Total ...</b>	<b>\$14,437.00</b>

Newsome seconded. Carried 3-0.

Johnson moved to approve the minutes of October 4, 2004 as amended.

Newsome seconded. Carried 3-0.

The Board of County Commissioners signed the following Riley County  
Personnel Action Forms:

- James Coder, a new hire, as part-time Engineering Intern, in the Public Works Department, at a grade 4 step 1, at \$9.07 per hour (maximum 1,000 hours per year).
- Richelle Williams, an Information Technology Specialist, in the Information Systems Department, for Separation from County Service, effective October 8, 2004.
- Ashley Keltner, a new hire, as an As Needed Clerk, in the Register of Deeds Office, at a grade 1 step 1, at \$6.65 per hour (High School student to be shared by the Appraiser's Office and Register of Deeds Office.)
- Brian W. London, a rehire, as an As Needed Juvenile Surveillance Officer (grant funded), in the Community Corrections Department, at a grade 9 step 1, at \$14.68 per hour.
- David Gunter, a new hire, as an As Needed Juvenile Surveillance Officer (grant funded), in the Community Corrections Department, at a grade 9 step 1, at \$14.68 per hour.
- Henry Jackson, Jr., a new hire, as an As Needed Juvenile Surveillance Officer (grant funded), in the Community

Corrections Department, at a grade 9 step 1, at \$14.68 per hour.

The Board of County Commissioners signed a Riley County Position Action Form for an As Needed Museum Assistant, in the Museum Department, at a grade 2.

Newsome moved to sign a Highway Use Permit that will allow SBC to bore 60" under Gumbo Hill Road at the intersection of Gumbo Hill and Blue River Hills Road. SBC also requests to trench 2800' along the west side of Blue River Hills Road north to the intersection of Blue River Hills Road and US Hwy 24. Johnson seconded. Carried 3-0.

Newsome moved to reappoint Brent Bowman as a board member to the Big Lakes Developmental Center Advisory Board, term expiration November 30, 2007. Johnson seconded. Carried 3 0.

**9:00 Frank McCoy, Director of Community Corrections**

Shelly Williams, Juvenile Services Supervisor/JJA; Geri Simon; Mel Vanderstelt; Paul Foltz; and Hjerda McAllister, Administrative Assistant, attended.

McCoy discussed the adult services year end report to the Kansas Department of Corrections (KDOC).

McCoy said the Riley County Community Corrections continues to exceed the State standards.

McCoy said there has been reduced time in the field seeing probationers and an increase in data entry.

McCoy said it has been a good year statistically.

Johnson moved to sign the Community Corrections Evaluation Summary Year-End Report of Outcomes Fiscal Years 2004 and 2005. Newsome seconded. Carried 3-0.

Johnson moved to appoint Charlie Sprott as a board member to the Joint Community Corrections Advisory Board(JCAB) term expiration June 30, 2006. Newsome seconded. Carried 3-0.

**9:15 Dennis Peterson, Director of Noxious Weed**

Mel Vanderstelt; Geri Simon; Paul Foltz; and Bret Glendening, Budget and Finance Officer, attended.

Peterson presented the following staff report for the Noxious Weed

Department:

Noxious Weed Projects:

- Completed spraying Sericea Lespedeza on county and state roads.
- Sprayed 144 acres of Sericea Lespedeza for 15 landowners.
- Completed spraying brush on county roads and for Ashland and Center Townships.
- Started spraying cedar trees on county roads with Escort.

Mowing:

All county roads have been mowed one time.

- County roads around Manhattan, Tuttle Cove area, Anderson Ave., McDowell Creek Road, Deep Creek area, Swede Creek area and Winkler area have been mowed a second time.
- Currently mowing in the Leonardville area.

Seeding:

- Completed fall seeding projects.
- Baled 168 big round bales of mulch hay from hay meadow west of noxious weed shop.

HHW:

- Next HHW collection at Howies is Saturday, October 9 from 8:00AM to 12:00 noon.
- KDHE inspection completed last week with no violation cited.

- Fall HHW events start this month within the region at Dickinson County on October 13 & 14. Gary Yenzer will be assisting with these events.

Property Management:

- Lease for Ady Addition with MHS for an outdoor agriculture land lab has been completed, waiting for school district to sign.
- I have completed signing of papers at FSA office with your written permission and Riley County will be receiving a \$650 payment.

CIP:

- I sent out a request for proposals to dealers and did not find any trucks that we could use in our operation. I will request to purchase a  $\frac{3}{4}$  ton truck from the state bid list and go out for bid on a one-ton truck.

Peterson presented and discussed two Purchase Authorizations for a  $\frac{3}{4}$  Ton 4x4 extended cab truck and a 1 Ton 4x4 cab-chassis truck.

Newsome moved to sign the Purchase Authorization for a  $\frac{3}{4}$  Ton 4x4 extended cab truck for the Noxious Weed Department to be funded by the CIP fund (State bid) in the amount of \$21,563.00. Johnson seconded. Carried 3-0.

Johnson moved to sign the Purchase Authorization for a 1Ton 4x4 cab-chassis truck for the Noxious Weed Department to be funded by the CIP fund, for competitive sealed bid. Newsome seconded. Carried 3-0.

**9:30 Sam Schmidt, Appraiser**

Brennan Engle, Free Press; Mel Vanderstelt; and Geri Simon, attended.

S. Schmidt said the Appraiser's Office has been live on Orion for over a week now and working to refine some functions needed to produce an appraisal roll for 2005. Other functions of Orion have yet to be released to us for testing. Reporting functions and worksheet sections that will not print are two areas currently being scrutinized. CAMA continues to be maintained daily.

S. Schmidt said counties in the area have approached us with inquiries on how things are going and when they might be able to see the system work. Once the assorted functions are working, we would like to set up a demonstration for

you and invite interested counties as well. I will approach you about a specific date later in time.

**9:45 Monty Wedel, Director of Planning and Development**

Geri Simon; Mel Vanderstelt; Brennan Engle, Free Press;and Stan Morgan, Counselor/Director of Administrative Services, attended.

Wedel presented the following staff update on major project for the Planning and Development Department:

1. Wind Farm Regulations - Public hearings completed. BOCC to make decision in the near future. Moratorium currently scheduled to expire on October 31, 2004.
2. Sexually Oriented Business Regulations - Zoning regulations and licensing resolution fully implemented. Developing license applications in case a request is made.
3. Joint Land Use Study - Initial phases completed. Next significant public meetings will be in November at which time a Preliminary Draft will be presented. Policy and Steering meetings in October will help develop the draft report.
4. Riley County Comprehensive Plan update - Currently working on trying to develop the PowerPoint presentation. Finding it difficult to free up blocks of time to devote to the PowerPoint.
5. K-18 Corridor Preservation Plan - On hold until new alignment study completed.
6. Update of Economic Development Plan. Draft completed. In process of being reviewed by committee members.

7. Lakeview survey. Conducted initial coordination meeting. Waiting on response from landowners.

Newsome said Bill Sabo has pushed dirt across Tanmangile Road on his property.

Johnson said Brian McNulty with the Corps of Engineers contacted him about Tanmangile Road. Johnson said McNulty said it would take the Corps of Engineers years to take action due to procedures. Johnson said McNulty requested the commission to see what action can be taken for access to the Girl Scout Cabin.

Morgan said Leon Hobson and himself will go look at Tanmangile Road and talk to Bill Sabo.

**10:10 Stan Morgan, Counselor/Director of Administrative Services**

- **Administrative Work Session**

Geri Simon; Leon Hobson, Director of Public Works/County Engineer; Bret Glendening, Budget and Finance Officer; and Kathryn Mayes, Manhattan Mercury, attended.

Morgan discussed the Wabaunsee County Konza Water District issue.

**10:30 Work Session on Board of County Commissioners Meetings held out of town**

Geri Simon; Leon Hobson, Director of Public Works/County Engineer; and Kathryn Mayes, Manhattan Mercury, attended.

Johnson said he would like to continue to hold Board of County Commissioners Meetings in the small cities.

Newsome said the people don't show up for the meeting and it costs Riley County.

Newsome said the Board of County Commissioners has a designated spot for their meetings here in the Commission Chambers.

Johnson said he doesn't feel the cost is that much.

Johnson said it is reasonable.

Kearns said going to Ogden makes the public feel that they are not left out.

Kearns said he has had positive feedback and the public appreciates the commission traveling to Ogden and being available for them.

Newsome disagreed with the costs and time of Riley County employees going to the small cities for commission meetings.

Kearns said he senses it is a good thing.

Johnson said the meetings are worthwhile and it makes the Board of County Commissioners available to the public.

Meredith presented PowerPoint pictures of Tanmangile Road.

**10:50 Leon Hobson, Director of Public Works/County Engineer**

Geri Simon; Kathryn Mayes, Manhattan Mercury; Stan Morgan, Counselor/Director of Administrative Services; Rod Meredith, Assistant Director of Public Works/Parks Director; and Bret Glendening, Budget and Finance Officer, attended.

Hobson said the South Manhattan Avenue project that would straighten the curves north and east of the Transfer Station to improve the safety of the road was included in the original sales tax initiative.

Hobson said recently, the commission held a meeting with the Manhattan Township and the landowners regarding this project. In that meeting it was



determined that the township and the landowners were not in favor of the project and there was not an immediate need for such improvement.

The commissioners requested Leon Hobson to place the South Manhattan Avenue project at the bottom of the sales tax project list as the lowest priority.

Johnson moved to approve“ Resolution No. 100704-48, A Resolution declaring certain accounts void and uncollectible and removing them from the accounts receivable of the Riley County Public Works Department/Solid Waste Department.” Newsome seconded. Carried 3-0.

**11:08** Recessed until 1:15.

**1:15 Lyle Butler, Manhattan Area Chamber of Commerce and Ron Sampson, President of National Institute for Strategic Technology Acquisition and Commercialization (NISTAC)**

Brennan Engle, Free Press; Geri Simon; and Kathryn Mayes, Manhattan Mercury, attended.

Sampson stated the county was a direct participant in National Institute for Strategic Technology Acquisition and Commercialization (NISTAC) through the Kansas Entrepreneur Center.

Sampson presented a PowerPoint presentation on NISTAC.

**2:15 Monty Wedel, Director of Planning and Development**

Stan Morgan, Counselor/Director of Administrative Services; Bob Isaac, Planner; Brennan Engle, Free Press; Kathryn Mayes, Manhattan Mercury; Geri Simon; Skip Pickering, Pickering Road; George LeRoux, 18985 Munkers' Creek Road, Alta Vista; Lee Rucker, 560 Sandy Land Road; Ron Klataske, Audubon of Kansas; Lorn Clement, 3881 S. 20<sup>th</sup> Street; Buck Gehrt; 2840 Mineral Springs

Road; Pete Gehrt; Audrey Gehrt; Kris Dugan; and Rebecca Mosier, Riley County Planning Board, attended.

Kearns said he gathered as much information as possible on both sides of wind energy.

Kearns stated he spoke with two Wabaunsee County Commissioners and their attorney on Wabaunsee County's ban on wind energy. Kearns said from the information gathered he believes wind energy development can be legally prohibited.

Kearns said at the appropriate time he will offer a motion on the prohibition on wind energy development in Riley County.

Kearns said he is willing to reopen the public hearing to hear comments on the prohibition of wind energy development.

Kearns said if prohibition is not passed he would offer strict regulations be added to the WECS regulations.

Johnson stated he would like to offer changes to the WECS regulations prior to adoption.

Newsome said we set out over one year ago and the Planning Board worked long and hard on the WECS regulations. Newsome stated it would be a mistake to not adopt the WECS regulations.

Johnson stated he would like to add wording to the regulations on reclamation of property on page 13. Johnson stated the bond should be set up to be adjusted annual to correspond with the inflation rate.

Kearns stated adequate bonding is essential if prohibition does not pass.

Johnson discussed the 1000 foot notification to adjoining property owners.

Wedel stated the 1000 foot notification is the statutory minimum.

Johnson said there is provision in the regulations stating if the Board of County Commissioners signs a resolution to construct a WECS project there is a 30-day protest period. Johnson said that conflicts with the company's right to begin construction immediately after the resolution is signed by the Board of County Commissioners.

Kearns said he is concerned with the ability to gerrymander the 1000 foot notification area within the boundaries of a large section of property and would request the notification area be 20 times the height of the wind towers.

Kearns said he contacted the Governor's Office on WECS. Kearns said he has an appointment at 1:30 p.m. Friday in the Governor's Office to discuss WECS. Kearns said he may schedule a member of the Governor's Office to discuss WECS with the Board of County Commissioners.

Wedel stated the Governor Task Force reported one of the options is for the prohibition on WECS development within the 7 miles of the Tall Grass Prairies. Johnson stated the Governor and Legislature should intervene if they wish to present the Tall Grass Prairie and arrange compensation.

Johnson stated he does not feel farmers and anchors have an obligation to provide scenery to the rest of the public.

Johnson said he also does not believe Fort Riley has the right to limit development adjacent to Fort Riley without just compensation.

**2:48** Newsome moved to adjourn. Johnson seconded. Carried 3-0.